

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE ANNUITY, WELFARE, APPRENTICESHIP SKILL
IMPROVEMENT & SAFETY FUNDS of the
INTERNATIONAL UNION OF OPERATING ENGINEERS,
LOCAL 15, 15A, 15C and 15D, AFL-CIO by its TRUSTEES
JAMES T. CALLAHAN, FRANCIS P. DIMENNA,
ROBERT SHAW and RUSSELL SHAW, and JOHN and
JANE DOE, as Beneficiaries of the ANNUITY, WELFARE,
APPRENTICESHIP SKILL IMPROVEMENT & SAFETY
FUNDS of the INTERNATIONAL UNION OF OPERATING
ENGINEERS, LOCAL 15, 15A, 15C and 15D, AFL-CIO,

**NOTICE OF MOTION
FOR DEFAULT JUDGMENT**

07-CIV-10695 (LTS) (RLE)

Plaintiffs,

-against-

BEDROC CONTRACTING, LLC,

Defendant.
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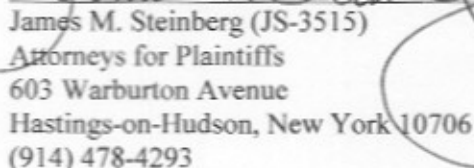
PLEASE TAKE NOTICE, that upon the Affidavit of JAMES M. STEINBERG, ESQ., sworn to on the 29th day of January, 2008, Plaintiffs' Statement of Damages, and upon all of the prior papers and proceedings heretofore served and had herein, Plaintiffs, by their attorneys BRADY McGUIRE & STEINBERG, P.C., will move this court, at the United States Courthouse located at 500 Pearl Street, New York, New York, Courtroom 17C, before the Honorable Laura Taylor Swain, at 9:30 a.m. on the 29th day of February, 2008 or as soon thereafter as counsel may be heard, for a judgment of default against Defendant BEDROC CONTRACTING, LLC pursuant to Rule 55(a) of the Federal Rules of Civil Procedure in the amount of \$49,282.35, together with such other and further relief as this Court may deem just, proper and equitable.

Dated: Hastings-on-Hudson, New York
January 29, 2008

Respectfully submitted,

BRADY McGUIRE & STEINBERG, P.C.

By:


James M. Steinberg (JS-3515)
Attorneys for Plaintiffs
603 Warburton Avenue
Hastings-on-Hudson, New York 10706
(914) 478-4293

TO: BEDROC CONTRACTING, LLC
340 Orient Way
Lyndhurst, New Jersey 07071

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DEFAULT JUDGMENT

07-CIV-10695 (LTS) (RLE)

Plaintiffs,

-against-

BEDROC CONTRACTING, LLC,

Defendant.

-----X
This action having been commenced on November 30, 2007 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been personally served on the Defendant BEDROC CONTRACTING, LLC on December 10, 2007, by a Process Server, personal service upon Michael Nasert, the Chief Executive Officer of Defendant BEDROC CONTRACTING, LLC, and proof of service having been filed on December 17, 2007 through the ECF System, and the Defendant not having answered the Complaint, and the time for answering the Complaint having expired, it is,

ORDERED, ADJUDGED AND DECREED: That the Plaintiffs have judgment against Defendant BEDROC CONTRACTING, LLC in the principal amount of \$39,332.18, with interest at 7.5% as prescribed by the Plan from October 9, 2006 through January 29, 2008 in the amount of \$3,933.21 and statutory damages in the amount of \$3,933.21, together with the costs and

disbursements of this action in the amount of \$445.00 and attorneys' fees in the amount of \$1,638.75, for a total liquidated amount of \$49,282.35, and it is further

ORDERED that the Judgment rendered by the Court on this day in favor of the Plaintiffs be entered as a final judgment against Defendant BEDROC CONTRACTING, LLC, and the Clerk of the Court is directed to enter such Judgment forthwith.

Dated: New York, New York
February __, 2008

SO ORDERED:

Laura Taylor Swain, U.S.D.J.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CLERK'S CERTIFICATE

07-CIV-10695 (LTS) (RLE)

Plaintiffs,

-against-

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Defendant.
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I, J. MICHAEL McMAHON, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action was commenced on November 30, 2007 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint was personally served on Defendant BEDROC CONTRACTING, LLC on December 10, 2007, by a process server, personal service upon Michael Nasert, the Chief Executive Officer of Defendant BEDROC CONTRACTING, LLC, and proof of service was filed on December 17, 2007 through the ECF System.

I further certify that the docket entries indicate that the Defendant has not filed an answer nor otherwise moved with respect to the Complaint herein. The default of the Defendant is hereby noted.

Dated: New York, New York

January 5, 2008
Feb 5

J. MICHAEL McMAHON
Clerk of the Court

By: _____

Deputy Clerk